

REMARKS

Claims 1-6 are all the claims pending in the present application. Claims 1-6 have been examined and have been rejected on new prior art grounds.

I. Claim Rejection under 35 U.S.C. § 102(e)

Claims 1-6 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by newly cited U.S. Patent No. 7,109,974 to Kempisty ("Kempisty"). Applicant respectfully traverses the rejection.

A. Claims 1 and 4

Claim 1 recites,

A wireless set-top box system comprising:
a set-top box operable to receive function control instructions from a remote controller, generate on-screen-display (OSD) information corresponding to the function control instructions, display the OSD information on a first screen connected by cable to the set top box, and wirelessly transmit the function control instructions; and
a display device operable to receive the function control instructions wirelessly transmitted by the set-top box, generate OSD information corresponding to the function control instructions, and display the OSD information on a second screen.

The Examiner appears to analogize the claimed function control instructions that are received by the set-top box to either data received from a remote control device 7 or data received from manual input from a control panel of the audio-visual device. *See* Kempisty at col. 5, lines 55-64; Figure 3. However, Kempisty only teaches that the manually input data from the control panel of the device is wirelessly transmitted to the remote control device 7. *See* Kempisty at col. 6, lines 54-64. In other words, Kempisty is directed to a system in which an on-screen display (OSD) is transmitted from a device to a remote controller of the device to enable a visually impaired user to operate an OSD menu that the user may not be able to see on a screen

of the device. *See* Kempisty at col. 1, lines 43-56. Therefore, any control instructions entered manually at the device to be controlled would be transmitted to the remote control to allow the visually impaired user to see the resulting OSD menu. However, any function control instructions received by the device from the remote control would not be transmitted from the device to the remote control because data processor 18 of the remote control 7 processes the instructions internally to display the resulting OSD menu on the display 10 of the remote control 7. *See* Kempisty at col. 8, lines 38-42. Accordingly, Applicant respectfully submits that Kempisty fails to teach or suggest “a set-top box operable to receive function control instructions from a remote controller.”

In addition, Applicant submits that Kempisty fails to teach or suggest the feature “and wirelessly transmit the function control instruction.” More specifically, the reference fails to teach that control data received by device 16 from remote control 7 is also wirelessly transmitted by the device 16. Accordingly, Applicant submits that claim 1 is patentable over Kempisty for at least the foregoing reasons.

Since claim 4 recites features similar to those discussed above in conjunction with claim 1, Applicant submits that claim 4 is patentable over Kempisty for at least reasons similar to those set forth for claim 1.

B. Claim 2

Claim 2 recites, *inter alia*,

wherein the set-top box comprises...
an infrared receiving unit operable to receive infrared key signals from a remote control device and amplify the infrared key signals to a predetermined amplitude;
a first controller operable to extract a key code that corresponds to the function control instruction from the infrared key signals received from the infrared receiving unit, and output

the key code corresponding to the function control instruction to the first signal processor;
a transmitting module operable to convert the transport streams extracted by the signal processor and the key code extracted by the first controller into radio signals in a predetermined format and transmit the radio signals through different respective channels.

In other words, claim 2 describes a system in which infrared key signals are received from a remote control, a key code is extracted from the infrared key signals, and the extracted key code is transmitted as a radio signal. As discussed above with regard to claim 1, the device 16 taught by Kempisty, which the Examiner analogizes to the claimed set-top box, does not transmit the key code corresponding to the function control instruction, which is represented by the infrared key signal. Rather, the data processor 18 of the remote control device 7 taught by Kempisty sends control information to the display 10 and OSD processor 22 to facilitate display of the OSD menu on display 10 of the remote control device 7. *See* Kempisty at col. 8, lines 38-42. In other words, it is unnecessary in the system taught by Kempisty, to issue a control instruction from the remote control device 7, transmit the instruction to the device 16, and transmit the instruction back to the remote control device 7 to enable display of the resulting OSD menu on the display 10 of the remote control device 7.

Therefore, Applicant submits that Kempisty fails to teach or suggest a set-top box comprising a transmitting module operable to convert the transport streams extracted by the signal processor and the key code extracted by the first controller into radio signals in a predetermined format and transmit the radio signals through different respective channels. Accordingly, Applicant submits that claim 2 is patentable over Kempisty for at least the forgoing reasons, in addition to being patentable by virtue of its dependency upon claim 1.

C. Claims 3, 5 and 6

Since claim 3 is dependent upon claim 2, Applicant submits that it is patentable over Kempisty at least by virtue of its dependency. Since claims 5 and 6 are dependent upon claim 4, and in light of the proposed amendment to claim 4, Applicant submits claims 5 and 6 are patentable over Kempisty at least by virtue of their dependency.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

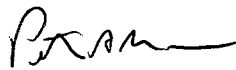
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER



Peter A. McKenna
Registration No. 38,551

Date: June 17, 2008